

REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the objections and rejections set forth in the Office Action of July 28, 2005, are earnestly solicited.

Claims 1 and 13 have been amended to clarify Applicants' invention. These amendments are not believed to narrow the scope of Claims 1 and 13. Claims 1—17 remain pending in the application.

Objection to the Specification

The specification stands objected to for non-support of claim language directed toward the bore having a solid wall. This objection is believed mooted by the amendments herein to Claims 1 and 13.

The specification stands objected to for non-support of claim language calling for the damper to be adjustably movable along the longitudinal axis of the hose member. This objection is likewise believed mooted by the amendments to Claims 1 and 13 calling for the damper being adjustably positionable. This language finds clear support in the specification, for example, at Paragraphs 32 and 36.

Withdrawal of the objections to the specification is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

Claims 1—17 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The rejection is respectfully traversed in view of the amendment of Claims 1 and 13.

Claims 1—17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is likewise respectfully traversed in view of the amendment of

Claims 1 and 13.

Withdrawal of these rejections is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 7—10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fritz or Qatu. These rejections are respectfully traversed.

Both Fritz and Qatu are representative of the prior art addressed by Applicants at paragraph 4 of the specification—i.e. they are both directed to attempts to offset hydraulic noise using tuning cables and restrictors. Elements 6 of Fritz and 64 of Qatu are restrictors, not damping elements. These restrictors define the volume of tuner chambers for absorbing pressure pulses and fluid movement. Unlike Applicants' structure, they do not offset additional vibrational forces caused by structural vibration. Claims 1 and 7—10 are believed to be patentably distinguishable over either Fritz or Qatu.

Claims 1—4, 7 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Oppertthausen. The rejection is respectfully traversed.

As pointed out in previous responses, Oppertthausen is not directed to a vibration damper, but to a shock absorber for a conduit clamping device. Furthermore, Oppertthausen does not teach or suggest any damper element which is free floating on the hose—i.e. uncoupled to any surface other than the outer surface of the hose. Claims 1—4, 7 and 10 are believed to be patentably distinguishable over Oppertthausen.

Claim Rejections – 35 U.S.C. § 103

Claims 5, 6, 9 and 11—17 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over Oppertauser. The rejection is respectfully traversed.


Without conceding the correctness of the Examiner's remarks over Claims 5, 6, 9 and 11—12, these claims depend directly or indirectly from Claim 1 and are therefore allowable at least for the reasons set forth above with respect to Claim 1.

Method Claim 13 calls for dampening vibrational forces acting upon a power steering hose by positioning a mass damper such that it is secured only to an outer surface of the hose—a method not suggested by the art of record. Claim 13 and its dependent Claims 14-17 are believed patentably distinguishable over Oppertauser.

Claims 1 and 13, as amended herein, and Claims 2—12 and 14—17 as originally presented, are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

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